

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 61st LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chairman Bob Lake, on February 18, 2009 at 9:00 A.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Bob Lake, Chairman (R)
Rep. Jill Cohenour, Vice Chairman (D)
Rep. Janna Taylor, Vice Chairman (R)
Rep. Dick Barrett (D)
Rep. Mark Blasdel (R)
Rep. Edward B. Butcher (R)
Rep. Wanda Grinde (D)
Rep. Robin Hamilton (D)
Rep. Brian Hoven (R)
Rep. Mike Jopek (D)
Rep. Dave McAlpin (D)
Rep. Mike Miller (R)
Rep. Art Noonan (D)
Rep. JP Pomnichowski (D)
Rep. Lee Randall (R)
Rep. J. David Roundstone (D)
Rep. Jon Sonju (R)
Rep. Wayne Stahl (R)
Rep. Chas Vincent (R)
Rep. Brady Wiseman (D)

Members Excused: None.

Members Absent: None.

Staff Present: Jeff Martin, Legislative Branch
Jennifer O'Loughlin, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 588, 2/16/2009

Executive Action: HJ 2, HB 115, HB 249, HB 341,
HB 381

HEARING ON HB 588

Opening Statement by Sponsor:

00:01:47 Rep. Duane Ankney (R), HD 43, opened the hearing on
HB 588, Revise coal gross proceeds distribution.

Proponents' Testimony:

00:05:21 Carl Seilstad, Fergus County Commissioner
00:05:50 Sue Olson, Musselshell County Commissioner
00:06:38 Chad Fenner, Bighorn County Commissioner
00:06:54 Bob Gilbert, Musselshell, Rosebud and Dawson Counties
00:07:23 Daniel Watson, Rosebud County Commissioner
00:07:57 Sen. Sharon Peregoy, SD 21, Crow Agency
00:08:40 Gary Amestoy, Richland County Commissioners
00:09:09 Willie Duffield, Executive Director, Montana Oil, Gas
and Coal Producing Counties

Opponents' Testimony: None

Informational Testimony:

00:10:18 Van Chalton, Corporate Auditor, Department of Revenue

Questions from Committee Members and Responses:

00:10:50 Chairman Lake
00:11:01 Rep. Ankney

Closing by Sponsor:

00:11:06 Rep. Ankney

00:11:57 Chairman Lake closed the hearing.

00:12:13 Break
00:23:46 Reconvene

EXECUTIVE ACTION ON HJ 2

00:25:33 **Motion:** Rep. Jopek moved that **HJ 2 DO PASS.**

00:25:40 Rep. Jopek moved that **HJ 2 BE AMENDED.**

00:26:04 Mr. Martin, Legislative Fiscal Division
EXHIBIT(tah38a01)

00:27:22 **Vote:** Motion that **HJ 2 BE AMENDED** carried 17-3 by
voice vote with Rep. Butcher, Rep. Miller, and Rep.
Wiseman voting no.

00:27:35 **Motion:** Rep. Jopek moved that **HJ 2 DO PASS AS AMENDED.**

00:27:52 **Vote:** Motion that **HJ 2 DO PASS AS AMENDED** carried 15-5
by voice vote with Rep. Blasdel, Rep. Butcher, Rep.
Miller, Rep. Sonju, and Rep. Wiseman voting no.

EXECUTIVE ACTION ON HB 115

00:28:39 **Motion:** Rep. Cohenour moved that **HB 115 DO PASS.**
EXHIBIT(tah38a02)

00:29:06 Rep. Pomnichowski left the room.

Discussion

00:29:19 Rep. Sonju

00:29:38 Mr. Martin

EXHIBIT(tah38a03)

00:30:30 Rep. Cohenour

00:31:05 Rep. Taylor

00:31:12 Mr. Martin

00:31:38 Chairman Lake

00:32:06 Rep. Cohenour

00:33:15 Chairman Lake

00:33:25 Rep. Sonju

00:33:32 **Motion:** Rep. Cohenour moved that **HB 115 BE AMENDED.**

00:33:59 **Vote:** Motion that **HB 115 BE AMENDED** carried 15-5 by
voice vote with Rep. Butcher, Rep. Hoven, Rep. Miller,
Rep. Randall, and Rep. Vincent voting no. Rep.
Pomnichowski voted by proxy.

00:34:32 **Motion:** Rep. Cohenour moved that **HB 115 DO PASS AS AMENDED.**

00:35:41 **Motion:** Rep. Sonju moved that **HB 115 BE AMENDED.**

Discussion:

00:36:04 Mr. Martin

EXHIBIT (tah38a04)

00:38:04 Rep. Cohenour

00:39:50 Rep. Sonju

00:40:38 Rep. Cohenour

00:42:40 Chairman Lake

00:42:47 Rep. Butcher

00:43:08 Chairman Lake

00:43:12 Rep. Butcher

00:43:41 Rep. Vincent

00:44:33 **Vote:** Motion that **HB 115 BE AMENDED** failed 9-11 by voice vote with Rep. Blasdel, Rep. Butcher, Rep. Hoven, Rep. Lake, Rep. Miller, Rep. Randall, Rep. Sonju, Rep. Taylor, and Rep. Vincent voting aye. Rep. Pomnichowski voted by proxy.

00:46:08 Rep. Stahl moved that the amendment be segregated into segments.

00:46:25 Rep. Wiseman

00:46:34 Chairman Lake ruled that the amendment had failed.

00:46:46 Rep. Wiseman

00:48:05 Rep. Butcher

00:48:56 Chairman Lake

00:49:03 Rep. Butcher

00:50:20 **Vote:** Motion that **HB 115 DO PASS AS AMENDED** failed 8-12 by roll call vote with Rep. Cohenour, Rep. Grinde, Rep. Hamilton, Rep. Noonan, Rep. Pomnichowski, Rep. Roundstone, Rep. Stahl, and Rep. Wiseman voting aye. Rep. Pomnichowski voted by proxy.

00:51:53 **Motion:** Rep. Butcher moved that **HB 115 BE TABLED AND THE VOTE REVERSED.**

00:51:58 **Vote:** Motion that **HB 115 BE TABLED** carried unanimously by voice vote. Rep. Pomnichowski voted by proxy.

EXECUTIVE ACTION ON HB 249

00:52:37 **Motion:** Rep. Stahl moved that **HB 249 DO PASS.**

Discussion:

00:52:52 Rep. Cohenour

00:53:01 Rep. Stahl

00:55:01 Rep. Cohenour

00:56:12 Rep. Jopek

00:56:20 Rep. Butcher

00:57:19 Rep. Stahl

00:57:54 **Vote:** Motion that **HB 249 DO PASS** failed 3-17 by roll call vote with Rep. Butcher, Rep. Lake, and Rep. Stahl voting aye. Rep. Pomnichowski voted by proxy.

00:59:11 **Motion/Vote:** Rep. Jopek moved that **HB 249 BE TABLED AND THE VOTE REVERSED.** Motion carried 18-2 by voice vote with Rep. Butcher and Rep. Stahl voting no. Rep. Pomnichowski voted by proxy.

EXECUTIVE ACTION ON HB 341

00:59:52 **Motion:** Rep. Taylor moved that **HB 341 DO PASS.**

Discussion:

01:00:08 Rep. Cohenour

01:00:36 **Substitute Motion:** Rep. Sonju moved that **HB 341 BE TABLED.**

01:00:43 **Vote:** Motion that **HB 341 BE TABLED** carried 19-1 by voice vote with Rep. Jopek voting no. Rep. Pomnichowski voted by proxy.

EXECUTIVE ACTION ON HB 360

01:01:23 **Motion:** Rep. Sonju moved that **HB 360 DO PASS.**

Discussion:

01:01:32 Rep. Cohenour said that she is waiting for a fiscal note.

01:02:38 Chairman Lake

01:03:18 Rep. Sonju withdrew the motion.

EXECUTIVE ACTION ON HB 381

01:03:50 **Motion:** Rep. Miller moved that **HB 381 DO PASS.**

Discussion:

01:04:03 Rep. Miller

01:04:45 Rep. Butcher

01:05:02 Rep. Cohenour

01:05:11 Chairman Lake

01:05:14 Rep. Butcher

01:06:03 Rep. Barrett

01:06:59 Chairman Lake

01:07:14 Rep. Cohenour

01:08:05 **Vote:** Motion that **HB 381 DO PASS** failed 12-6 by roll call vote with Rep. Blasdel, Rep. Butcher, Rep. Lake, Rep. Randall, Rep. Stahl, and Rep. Taylor voting aye. Rep. Pomnichowski voted by proxy.

01:09:28 **Motion/Vote:** Rep. Cohenour moved that **HB 381 BE TABLED AND THE VOTE REVERSED.** Motion passed unanimously by voice vote. Rep. Pomnichowski voted by proxy.

EXECUTIVE ACTION ON HB 395

01:10:10 Rep. McAlpin said he is waiting for a fiscal note.

EXECUTIVE ACTION ON HB 413

01:10:22 Rep. Cohenour presented additional information on HB 413.

EXHIBIT (tah38a05)

EXECUTIVE ACTION ON HB 487

01:11:15 Rep. Cohenour announced that a fiscal note is not yet available.

EXECUTIVE ACTION ON HB 501

01:11:59 Chairman Lake announced that a fiscal note is not yet available.

EXECUTIVE ACTION ON HB 508

01:12:12 Chairman Lake announced that a fiscal note is not yet available.

ADJOURNMENT

01:15:30 Adjournment: 10:15 A.M.

Jennifer O'Loughlin, Secretary

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Additional Documents:

EXHIBIT ([tah38aad.pdf](#))